

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
TWO HUNDRED AND FOUR (204) PRE- )  
PAID ACCESS CARDS ASSOCIATED WITH )  
GREEN DOT BANK, TOTALING )  
\$638,659.43 IN U.S. CURRENCY, )  
)  
and )  
)  
\$86,651.68 IN U.S. CURRENCY, )  
)  
Defendants. )

Case No. 3:21-CV-145

Judges \_\_\_\_\_

I, Michael A. Hauke, Special Agent with the United States Secret Service being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the United States Secret Service (“USSS”) and have been so employed in that capacity since September 22, 2002. I have a Bachelor of Science degree from the University of Tennessee in Chattanooga, and I was a United States Border Patrol Agent prior to becoming an agent with the USSS. I am currently assigned to the USSS’s Knoxville Resident Office. I am specifically assigned to investigate, among other things, white collar crime matters such as corporate fraud, securities fraud, bank fraud, conspiracy, mail fraud, and wire fraud. I have received extensive training and instruction on federal criminal laws and fraud involving wire fraud. I am authorized under Title 18, United States Code, Section 3056(b) to conduct criminal investigations involving fraud or other unlawful activity in or against any

federally insured financial institution. I am further authorized by Title 18, United States Code, Section 3056(b) to execute warrants issued under the laws of the United States and to make arrests, based upon probable cause, for any felony cognizable under the laws of the United States. I am experienced in the investigation of offenses involving wire fraud, false statements, identify theft, and other financial crimes.

### **PURPOSE OF AFFIDAVIT**

2. This Affidavit supports the civil forfeiture of the following: Two Hundred and Four (204) pre-paid access cards associated with Green Dot Bank, totaling \$638,659.43 in U.S. currency, seized during the arrest of Valentine Odiye (“Odiye”) at Walmart Supercenter, 911 Highway 321 N, Lenoir City TN 37771, on July 27, 2020 and \$86,651.68 in U.S. currency (hereafter “defendant properties”).

3. The facts in this affidavit come from my personal observations, my review of records and documents, my training and experience and that of other agents, and information obtained from other agents, law enforcement officers and personnel, and witnesses.

### **STATUTORY VIOLATIONS**

4. Title 18, United States Code, Section 1029(a)(3) makes it a crime to knowingly and with intent to defraud, possess fifteen or more devices which are counterfeit or unauthorized access devices.

5. The United States of America seeks forfeiture of the defendant properties pursuant to 18 U.S.C. § 981(a)(1)(C), which authorizes forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1029(a)(3).

## **INVESTIGATION BACKGROUND**

6. Several states have seen a recent and unprecedented rise in applications for unemployment benefits in light of the economic conditions associated with the COVID-19 pandemic presently affecting the United States. Three states where applications for unemployment benefits have seen such dramatic increases are in New York, Ohio and Illinois. Several residents of these states have reported to their respective agencies that someone had fraudulently sought benefits on their behalf. In many instances, these individuals received a notification from their state unemployment offices in the mail, informing them about benefit applications in their names. These individuals never submitted such applications. In other situations, the victims are completely unaware that their identities are being used to retrieve Unemployment Insurance benefits.

7. On July 17, 2020, Agent DeBoer with the 9th Judicial Drug Task Force (JDTF) received a call from an associate in the Asset Protection section at Walmart in Lenoir City (“associate”) regarding three females in the store that were going to the service desk, in succession, and making numerous withdrawals of cash by swiping a payment card. These females were also using the payment cards to purchase money orders in \$1,000 dollar increments. The associate observed this activity while talking with Lt. Shane Ezell of the Loudon County Sheriff’s Department.

8. Lt. Ezell responded to Walmart and arrived as the three females were walking to a black Range Rover (“Range Rover”) bearing Georgia license plate RPY 7057, that was parked in the store parking lot. At this time other law enforcement arrived to assist in the investigation.

9. As the three females entered the Range Rover, a male, later identified as Valentine Odiye (“Odiye”) exited the front driver’s seat and walked inside Walmart. The Range

Rover left the Walmart parking lot, without Odije, and drove to Chick-fil-A on Hwy 321 in Lenoir City.

10. During this time, the associate advised Agent DeBoer that Odije was at the service desk doing the exact same thing that the three females did - ordering multiple money orders and obtaining cash from the swiping of a Green Dot Bank Card at the service desk.

11. Believing a scam and fraud was occurring, agents stopped the Range Rover and deployed a drug detection dog. This deployment resulted in a positive alert and a subsequent search was conducted. Seven grams of THC edibles and several suspected ecstasy pills were located as well as approximately three hundred Green Dot Bank Cards, numerous money orders, and a brown paper bag from Beni-Hana with over \$23,000 dollars in U.S. currency.

12. Agents detained Odije inside the store and found that he possessed a fake ID, three Green Dot Bank Cards in other people's names, approximately \$3,000.00 U.S. Currency, and Money Orders. All four people were transported to the Loudon County Sheriff's Office. Agents began to work to compile all the evidence and to scan all the payment cards for clones, counterfeit or reprints.

13. Lt. Ezell subpoenaed Green Dot Bank and received account records on the cards found on Odije's person and inside the Range Rover he was utilizing. Of the over 300 Green Dot Bank Cards recovered, approximately 204 of them were activated and/or had a balance.<sup>1</sup> Moreover, the Green Dot Bank records show deposits of Unemployment Insurance benefits from New York, Ohio and Illinois into the accounts associated with the Green Dot Bank Cards seized. None of the accounts associated with the cards were in Odije's name.

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<sup>1</sup> Approximately 100 of the Green Dot Bank Cards were never activated.

14. I requested information from the State of New York as to the information they had on file for the accounts, which proceeds were derived from Unemployment Insurance (UI) benefits from New York. None of these deposits were in Odije's name. Additionally, all of the names on the accounts were legitimate people and not fictitious information. I requested information from the State of Ohio as to the information they had on file for the accounts which proceeds were derived from UI benefits from Ohio. None of these deposits were in Odije's name. Additionally, all of the names on the accounts were legitimate people and not fictitious information.

15. Upon review of records received by the JDTF and information supplied by Green Dot, your affiant was able to determine that the four cards which were used by the suspects subsequent to their arrests had fraudulent purchases and withdrawals totaling over \$54,000 starting from when the cards were activated and funded via the respective State UI Benefit Program.

16. Additionally, upon review of records received by the JDTF and information supplied by Green Dot Bank, your affiant was able to determine the Green Dot Bank cards that were later discovered by the JDTF, as a result of this investigation revealed fraudulent purchases and withdrawals totaling over \$110,000 starting approximately 48 hours prior to the suspects arrests.

17. On February 24, 2021, a seizure warrant was issued for 204 pre-paid access cards associated with Green Dot Bank, totaling approximately \$661,667.13, seized during the arrest of Odije at Walmart Supercenter, 911 Highway 321 N, Lenoir City TN 37771. On March 25, 2021, Green Dot issued a check to the USSS for the Green Dot cards in the amount of \$638,659.43.<sup>2</sup> On March 23, 2021, a seizure warrant was issued for \$86,651.68 in U.S. currency previously

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2. Green Dot Bank provided information that several of the cards' values were less than the amount originally reported through their subpoena.

seized by the 9th Judicial Drug Task Force, during the arrest of Odije. On the same date, the USSS took custody of the \$86,651.68.

### CONCLUSION

18. Based on the facts above, I respectfully submit that there is probable cause to believe that Odije has committed violations of Title 18, United States Code, Section 1029(a)(3) (access device fraud) to obtain funds from the States of New York, Ohio and Illinois and their respective unemployment benefit programs. Because the fraudulent representations to the States of New York, Ohio and Illinois constitute the sole source of funds to the sampling of Green Dot Bank Cards analyzed by law enforcement, and because there is no evidence establishing any other potential sources of funds on any of the other Green Dot Bank Cards, these funds are traceable to Odije's commission of access device fraud. The property is subject to civil forfeiture in accordance with 18 U.S.C. § 981(a)(1)(C).

FURTHER AFFIANT SAYETH NAUGHT.



Michael A. Hauke  
Special Agent  
United States Secret Service

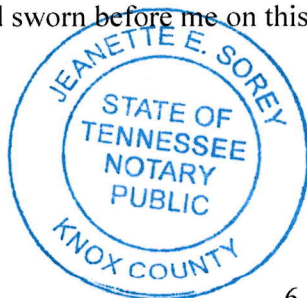
STATE OF TENNESSEE

COUNTY OF KNOX

On this 13<sup>th</sup> day of April, 2021, before me, personally appeared Michael A. Hauke, in his capacity as a Special Agent with the United States Secret Service, known to be the person described herein and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal.

Subscribed to and sworn before me on this the 13<sup>th</sup> day of April, 2021.



Notary Public

My Commission Expires: 10/30/2022